

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q88645

Yoshiyuki FUKUMOTO, et al.

Appln. No.: 10/539,373

Group Art Unit: 2627

Confirmation No.: 4607

Examiner: Allen J. HEINZ

Filed: June 16, 2005

For: MAGNETIC TUNNEL MAGNETO-RESISTANCE DEVICE AND MAGNETIC
MEMORY USING SAME

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

1. U.S. Patent No. 7,205,564 B2, issued April 17, 2007.
2. U.S. Patent No. 7,215,566 B2, issued May 8, 2007.
3. U.S. Patent Application Publication No. 2003/0179601 A1, published

September 25, 2003.

4. U.S. Patent Application Publication No. 2004/0156232 A1, published August 12, 2004.

None of the listed documents are being submitted herewith, since each is either a U.S. patent or U.S. patent publication. The corresponding U.S. Office Action, which cites such documents, was issued in related U.S. application No. 10/697,124 on June 4, 2007, and a copy is being submitted herewith.

The present Information Disclosure Statement is being filed after either a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), but before payment of the Issue Fee, and therefore Applicants are submitting herewith the statutory fee of \$180.00 via the EFS payment screen to Deposit Account No. 19-4880 under 37 C.F.R. § 1.17(p), and a Statement Under 37 C.F.R. § 1.97(e).

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,

/Howard L. Bernstein/

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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: June 27, 2007

Howard L. Bernstein
Registration No. 25,665

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Yoshiyuki FUKUMOTO, et al. Docket No: Q88645
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For: MAGNETIC TUNNEL MAGNETO-RESISTANCE DEVICE AND MAGNETIC MEMORY
 USING SAME

STATEMENT UNDER 37 C.F.R. § 1.97(e)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned hereby states, upon information and belief:

That no item of information contained in the Information Disclosure Statement filed concurrently herewith was cited in any communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making a reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: June 27, 2007

Substitute for Form 1449 A & B/PTO <u>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</u> <i>(use as many sheets as necessary)</i>				<i>Complete if Known</i>	
				Application Number	10/539,373
				Confirmation Number	4607
				Filing Date	June 16, 2005
				First Named Inventor	Yoshiyuki FUKUMOTO
				Art Unit	2627
Examiner Name				Allen J. HEINZ	
Attorney Docket Number				Q88645	
Sheet	1	of	1		

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
		US 7,205,564	B2	04-17-2007	Kajiyama
		US 7,215,566	B2	05-08-2007	Kanegae
		US 2003/0179601	A1	09-25-2003	Seyyedy et al.
		US 2004/0156232	A1	08-12-2004	Saito et al.
		US			
		US			
		US			
		US			
		US			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)			

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or follow the hyperlink from the title of the document to the intranet. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to indicate here if English language Translation is attached.